2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

15 May 2000

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Summary record of the 1st meeting
Held at Headquarters, New York, on Monday, 24 April 2000, at 11 a.m.

Acting President: Mr. Reyes Rodríguez ..... (Colombia)
President: Mr. Baali ..... (Algeria)

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The meeting was called to order at 11.10 a.m.

Opening of the Conference by the Chairman of the third session of the Preparatory Committee

1. **The Acting President** declared open the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), convened pursuant to article VIII, paragraph 3, and article X, paragraph 2, of the Treaty, and General Assembly resolution 51/45 A.

2. The Conference was the sixth of its kind, and the first to be held since May 1995, when the States parties had adopted decisions on the indefinite extension of the Treaty, the strengthening of its review process and the establishment of Principles and Objectives for nuclear non-proliferation and disarmament, together with a resolution on the Middle East. The Conference was expected to consider the implementation of the Treaty's provisions since 1995, taking into account the decisions and resolution adopted at the 1995 Review and Extension Conference, to identify areas where further progress was needed and to determine how such progress could be achieved.

3. In accordance with past practice, he formally introduced the final report of the Preparatory Committee (NPT/CONF.2000/1), adopted on 21 May 1999. The Committee had held three sessions during the period April 1997 to May 1999; 158 States parties to the Treaty had participated in the work of one or more of the sessions, which had also been attended by representatives of States not parties to the Treaty, specialized agencies, intergovernmental organizations, academia and non-governmental organizations. For the first time, representatives of non-governmental organizations had been given an opportunity to address delegations at each of the sessions.

4. The Preparatory Committee had agreed on all the main issues related to the organization of the Conference. However, despite extensive discussion of, *inter alia*, the possibility of commencing negotiations on a convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices, nuclear disarmament, security assurances for parties to the Treaty and implementation of the resolution on the Middle East, it had been unable to reach agreement on any substantive recommendation to the 2000 Conference.

Election of the President of the Conference

5. **The Acting President** said that at its resumed session in December 1999, the Preparatory Committee had decided to recommend to the 2000 Review Conference the election of Mr. Abdallah Baali (Algeria) as President.

6. *Mr. Baali (Algeria) was elected President of the Conference by acclamation.*

7. *Mr. Baali (Algeria) took the Chair.*

Statement by the President of the Conference

8. **The President** said that in 1995, when the States parties had decided to extend the Treaty indefinitely, the nuclear-weapon States had solemnly undertaken to continue their efforts to systematically and progressively reduce their nuclear stockpiles; States that had remained outside the non-proliferation regime had been urged to join it; and agreement had been reached on a new review process. Unfortunately, many of the commitments made on that occasion had yet to be fulfilled, and the lack of progress towards nuclear disarmament had given rise to a feeling of frustration on the part of many countries and of international civil society.

9. In 1998, India and Pakistan had dealt a serious blow to the global non-proliferation regime by conducting nuclear tests, as a result of which the world was facing the spectre of nuclear war for the first time since the end of the cold war. Cuba and three States with nuclear capabilities — Israel, India and Pakistan — had not yet become parties to the Treaty; the Senate of the United States of America had refused to ratify the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the Russian Federation and the United States of America had made no progress towards nuclear disarmament owing to the delay in the entry into force of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II) and the failure to commence negotiations on START III. Other grounds for concern included the new nuclear strategies of the North Atlantic Treaty Organization (NATO) and the Russian Federation; the challenges to the Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty) and the intention of the United States of America to deploy an anti-missile defence system; the impasse in the Conference on Disarmament, as a result of which negotiations on a treaty prohibiting the production of fissile material had

not commenced; and the fact that there were currently 30,000 nuclear weapons worldwide.

10. However, the picture was not entirely a negative one. The Russian Parliament had recently ratified START II; since 1995, the NPT had been ratified by Chile, Vanuatu, United Arab Emirates, Comoros, Andorra, Djibouti, Angola, Oman and Brazil, bringing the number of States parties to 187 and making it the most universal of all the multilateral disarmament instruments; the Model Additional Protocol to Safeguards Agreements, adopted in May 1997, had increased the efficiency and effectiveness of the safeguards regime; nuclear-weapon States had taken unilateral measures to reduce their stockpiles and introduce greater transparency; new treaties had established nuclear-weapon-free zones in Africa and South-East Asia, and efforts to denuclearize Central Asia were nearing fruition; and the CTBT had been opened for signature in September 1996, within the deadlines established at the 1995 Conference, and had been signed by 155 States and ratified by 55, including 2 nuclear-weapon States and 28 States with nuclear capabilities.

11. Regardless of the differing perspectives of States parties, much remained to be done and the outcome of the Conference would have a major influence on the future of the Treaty and of the nuclear non-proliferation regime. The role of civil society was crucial to future progress, and he therefore welcomed the contribution of non-governmental organizations. He urged States parties to bridge their differences and to seek agreement on realistic measures to promote the realization of the goals of the Treaty. The global community would be following the work of the Conference with high expectations and must not be disappointed.

Address by the Secretary-General of the United Nations

12. **The Secretary-General** said that at a time of extraordinary change and challenge in the relations between and within States, it was more important than ever to focus on halting nuclear proliferation and on reducing the weapons of mass destruction that continued to threaten the very existence of human life on the planet.

13. While no one could be satisfied with the degree of implementation of the Treaty, the fact that 187 States had become parties to it testified to its global appeal, and there had been genuine progress during the past five years. The number of nuclear weapons had continued to decline since the end of the cold war; most nuclear-weapon States had declared that they were not producing fissile material for weapons; former rivals were cooperating to reduce the threats posed by their weapons; safeguards had been enhanced; membership in nuclear-weapon-free zones had grown; the CTBT had been negotiated and, although it was not yet in force, there was a de facto moratorium on testing. The Russian Federation had decided to ratify START II and the CTBT; he hoped that the ratification would enhance the prospects of those treaties entering into force.

14. Nonetheless, nuclear conflict remained a real and terrifying possibility which imposed an obligation on States parties to use every instrument at their disposal to pursue the goals of the NPT with equal and unwavering determination. The discovery of clandestine nuclear-weapons-development programmes and the proliferation of weapons of mass destruction remained a major threat to peace. Compliance with the Treaty's non-proliferation obligations had not always been satisfactory, and he called on all parties to increase their efforts to combat that common threat and to sign and bring into force the IAEA Additional Protocol designed to enhance assurances regarding compliance.

15. The 1998 nuclear tests by India and Pakistan were clear evidence of the need to fight proliferation. Some 35,000 nuclear weapons remained in the arsenals of the nuclear Powers, with thousands still deployed on hair-trigger alert. For many years, there had been no disarmament negotiations on strategic or tactical nuclear weapons. The Conference on Disarmament remained the single multilateral body for such negotiations, yet its efforts had been frustrated by a lack of consensus. Much of the established multilateral disarmament machinery had started to rust, a problem due not to the machinery itself but to the apparent lack of political will to use it. Recent years had seen a reaffirmation of the nuclear-weapons doctrines of all the nuclear-weapon States. Some States retained first-use doctrines, while others did not exclude the use of such weapons even against non-nuclear-weapon States. Lack of transparency as to the number of weapons and amount of nuclear material remained a problem, and the growing pressure to deploy national missile

defences was jeopardizing the ABM Treaty and could well lead to a new arms race. He hoped that States would weigh those dangers and challenges before embarking on a process likely to reduce rather than enhance global security.

16. He believed that States parties had it in their power to meet those challenges successfully. The most effective way to do so would be to embark on a results-based treaty review process, focusing on specific benchmarks such as the entry into force of the CTBT, deep, irreversible reductions in nuclear-weapons stocks, the consolidation of existing nuclear-weapon-free zones and the negotiation of new ones, binding security guarantees for non-nuclear-weapon States parties, and improvement in the transparency of reporting on nuclear weapons arsenals and nuclear materials. Lastly, he proposed that member States should reaffirm at the highest political level their commitment to reducing the dangers that arose from existing nuclear weapons and the further proliferation thereof.

Address by the Director-General of the International Atomic Energy Agency

17. **Mr. El-Baradei** (Director-General of the International Atomic Energy Agency (IAEA)) said that the 1995 decision to extend indefinitely the NPT had been taken in an atmosphere of expectation that the Treaty would be invigorated through accelerated efforts towards nuclear disarmament, a strengthened verification regime and expanded peaceful nuclear cooperation.

18. IAEA safeguards played a key role in the non-proliferation regime and a number of the Principles and Objectives agreed to in 1995 had a direct relevance to those safeguards. The Agency had continued to function as the competent authority to verify compliance with safeguards obligations under article III of the Treaty. Since the beginning of 1995, a further 28 States parties had brought comprehensive safeguards agreements into force, raising the total to 128. The Agency was making every effort to encourage the remaining 54 States parties to conclude such agreements.

19. Remarkable progress had been achieved in strengthening the effectiveness of safeguards. The discovery of Iraq's clandestine nuclear weapons programme had been both a setback and a watershed for the safeguards system. It had jolted the international community into considering urgent ways and means to strengthen the system, in particular to equip it with the ability to provide assurance regarding the absence of undeclared nuclear material and activities.

20. Some of the strengthening measures could be anchored to the Agency's existing authority, but others required additional legal authority. In May 1997, after a year of deliberations, the Agency's Board of Governors had adopted a Model Additional Protocol to Safeguards Agreements, which was intended to be the standard for additional instruments to be concluded with non-nuclear-weapon States parties to the Treaty. The new protocol gave the Agency the means to provide credible and comprehensive assurances of compliance with non-proliferation commitments, empowering it to seek a broad range of information covering all aspects of a State's nuclear and nuclear-related activities. It also provided broader right of access for Agency inspectors to nuclear and nuclear-related facilities and contained new administrative arrangements to improve the effectiveness of safeguards.

21. Pursuant to the safeguards agreements, the Agency had the right and obligation to ensure that all nuclear material in peaceful nuclear activities of States was subject to safeguards; its obligation was not limited to declared nuclear material but also extended to that which was required to be declared. Under the new protocol, it would be able to provide assurance not only of the non-diversion of declared material, but also of the absence of undeclared nuclear material and activities. It was therefore disappointing that only 44 non-nuclear-weapon States parties to the Treaty had concluded additional protocols and that only 9 such protocols had entered into force. He appealed to those that had not yet done so to conclude additional protocols at the earliest possible date. The secretariat was developing modalities to adapt existing safeguards activities to the new strengthening measures and expected to complete the technical framework by the end of 2001.

22. The 1995 Principles and Objectives had stressed that fissile material transferred from military to peaceful use should be placed under Agency safeguards as soon as possible. Since 1996, the Agency had been involved in consultations with the Russian Federation and the United States of America to examine the legal, technical and financial aspects of

verification of such material, and significant progress had been made on a model verification agreement and technical systems and equipment.

23. The Agency had established a programme in 1995 for the security of nuclear and radioactive material to protect it against theft and other misuses and to prevent, detect and respond to illicit trafficking. A 1998 review had resulted in strengthened guidelines on protecting nuclear facilities and nuclear material in transport, use and storage against sabotage.

24. Despite the increased amount of nuclear material and the greater complexity of the facilities to be safeguarded, the Agency's budget for safeguards had been virtually frozen for over a decade as a result of a policy of zero real growth. That had led to an increasing reliance on extrabudgetary funding, which inhibited proper planning and efficiency.

25. Two cases of non-compliance with safeguards agreements must be mentioned. With regard to Iraq, the Agency had not been in a position since December 1998 to implement its mandate under Security Council resolution 687 (1991). Although it had recently been able to inspect nuclear material subject to safeguards which was still in Iraq, that inspection had been limited and was no substitute for the required activities under the relevant Security Council resolutions. Currently, therefore, the Agency could not provide any assurance that Iraq was in compliance with its obligations.

26. With regard to the Democratic People's Republic of Korea, there was regrettably little to report since the 1995 Conference. The Agency remained unable to verify its initial declaration of nuclear material subject to safeguards and could not, therefore, provide any assurance about non-diversion. The Democratic People's Republic of Korea was still in non-compliance with its safeguards agreement, which remained valid and in force. It continued to accept Agency activities solely in the context of the agreed framework which it had concluded in October 1994 with the United States of America. As requested by the Security Council, the Agency was monitoring a freeze of graphite-moderated reactors and related facilities under that agreement. The degree of cooperation received continued to be limited.

27. Turning to peaceful nuclear cooperation, he said that the major goal of the Agency's technical cooperation activities had been to address the major sustainable development priorities of recipient States in a cost-effective manner. Technical cooperation among developing countries continued to be a key strategy because it promoted sustainable project activities by building self-reliance and mutual assistance. The largest proportion of Agency assistance involved non-power applications. For instance, in 1999 about 85 per cent of its technical cooperation had been in the areas of human health, food and agriculture, water resources management, environmental monitoring, industrial uses and related radiation protection and safety. Training was also an important aspect of technical cooperation activities.

28. A priority objective of the Agency was to establish a comprehensive and effective worldwide nuclear safety culture, which would be aided by a comprehensive set of international conventions prescribing the basic legal norms for the safe use of nuclear technology. The Agency would continue to strengthen its safeguards system, but without safeguards agreements it could not provide any assurances of compliance, and without the additional protocols it could provide only limited assurances that did not adequately cover the absence of undeclared material or activities. It would continue to strive for maximum efficiency in its safeguards operation but would not be able to fulfil its mandate unless those activities were fully funded. In 1999, of the 130 member States of IAEA, only 43 had pledged 100 per cent or more of their assessed target. Regrettably, 57 had made no pledges whatsoever. Although from a strictly legal point of view contributions to the Technical Cooperation Fund were voluntary, they were regarded as solemn obligations that must be respected.

29. The new safeguards had strengthened the non-proliferation regime, but verification could not work in a vacuum. It should continue to be supported by effective physical protection and export control arrangements, enforcement mechanisms and, above all, regional and global security arrangements. International cooperation in the peaceful uses of nuclear energy was a key component of the Treaty regime, but it required adequate, predictable and assured technical cooperation resources. To that end, all States parties should pay their target contributions in full and on time.

30. The Treaty regime, which had been painstakingly constructed over three decades, should not be allowed to unravel, and it should be made universal. Of crucial importance to that end was an unequivocal commitment by all nations to its basic tenets:

adherence to the regime and the verification system, enhancement of peaceful nuclear cooperation and transfer of technology, and above all, active negotiation towards nuclear disarmament.

Adoption of the rules of procedure

31. **The President** drew attention to the draft rules of procedure, contained in annex VI, of the final report of the Preparatory Committee (NPT/CONF/2000/1), which had been submitted to the Conference by the Chairman of the third session of Preparatory Committee. He took it that the Conference wished to adopt the draft rules of procedure.

32. *It was so decided.*

33. **The President**, referring to rule 44, paragraph 1, of the rules of procedure, said that requests for observer status had been received from Cuba and Palestine. He took it that the Conference wished to accede to those requests.

34. *It was so decided.*

35. **The President**, referring to rule 44, paragraph 3, of the rules of procedure, said that requests for observer status had been received from the following organizations: the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the South Pacific Forum, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear Test Ban Treaty Organization, the European Commission, the International Committee of the Red Cross, the League of Arab States, the Nuclear Energy Agency of the Organization for Economic Cooperation and Development, the Organization of the Islamic Conference and the Brazilian-Argentine Agency for the Accounting and Control of Nuclear Materials (ABACC). He took it that the Conference wished to accede to those requests.

36. *It was so decided.*

Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee

37. **The President** said that, at its third session, the Preparatory Committee had agreed to recommend the following as Chairmen of the three Main Committees: Mr. Reyes Rodríguez (Colombia), Main Committee I; Mr. Kobieracki (Poland), Main Committee II; Mr. Reimaa (Finland), Main Committee III. The Preparatory Committee had also agreed to recommend that the post of Chairman of the Drafting Committee should be assumed by a representative of the Group of Eastern European States and the post of Chairman of the Credentials Committee by a representative of the Group of Non-Aligned and Other States, and it had subsequently nominated Mr. Erdös (Hungary) and Mr. Widodo (Indonesia), respectively.

38. *Mr. Reyes Rodríguez (Colombia), Mr. Kobieracki (Poland), Mr. Reimaa (Finland), Mr. Erdös (Hungary) and Mr. Widodo (Indonesia) were elected Chairmen of Main Committee I, Main Committee II, Main Committee III, the Drafting Committee and the Credentials Committee, respectively.*

39. **The President** said that consultations on the election of the Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee had not yet been concluded. The election would therefore be postponed.

Election of Vice-Presidents

40. **The President** said that the Conference had received the following nominations for the 34 posts of Vice-President: from the Group of Eastern European States: Armenia, Azerbaijan, Belarus, Latvia, Lithuania, Romania and Ukraine; from the Group of Western European and Other States: Australia, Canada, France, Germany, Ireland, Italy, Japan, Netherlands, New Zealand and United Kingdom of Great Britain and Northern Ireland; and from the Group of Non-Aligned and Other States: Cameroon, Kenya, Senegal, South Africa, Islamic Republic of Iran, Uzbekistan, Viet Nam, Mexico, Peru, Ecuador, Costa Rica and China.

41. *Armenia, Australia, Azerbaijan, Belarus, Cameroon, Canada, China, Costa Rica, Ecuador, France, Germany, Islamic Republic of Iran, Ireland, Italy, Japan, Kenya, Latvia, Lithuania, Mexico, Netherlands, New Zealand, Peru, Romania, Senegal, South Africa, Ukraine, Uzbekistan, United Kingdom of Great Britain and Northern Ireland, and Viet Nam were elected Vice-Presidents of the Conference.*

42. **The President** said that the Group of Non-Aligned and Other States would submit five additional nominations after further consultations.

Credentials of Representatives to the Conference

(a) **Appointment of the Credentials Committee**

43. **The President**, referring to rule 3 of the rules of procedure, which provided that six members of the Credentials Committee were to be appointed on the proposal of the President of the Conference, said that consultations were continuing on nominations to the Credentials Committee and that he would convey to the Conference the outcome of those consultations at the appropriate time.

Confirmation of the nomination of the Secretary-General

44. **The President** said that, at its first session, the Preparatory Committee had decided to invite the Secretary-General of the United Nations, in consultation with members of the Preparatory Committee, to nominate an official to act as provisional Secretary-General of the 2000 Review Conference. At its third session, the Secretary-General had nominated Ms. Hannelore Hoppe, Department of Disarmament Affairs, as provisional Secretary-General.

45. *Ms. Hoppe was confirmed as Secretary-General of the 2000 Review Conference.*

Adoption of the agenda

46. **The President** said he took it that the Conference wished to adopt the agenda as contained in annex VII of the final report of the Preparatory Committee (NPT/CONF.2000/1) and the recommendation of the Preparatory Committee in annex VIII on the allocation of items to the Main Committees of the Conference.

47. *The agenda and the recommendation were adopted.*

Programme of work

48. **The President**, referring to rule 34 of the rules of procedure, said that, after consultations, the following draft decision had been proposed:

> "The Conference of States parties to the NPT decides to establish for the duration of the 2000 Review Conference a subsidiary body under Main Committee I and Main Committee II, respectively.
>
> "The Conference further decides that:
>
> "I. The subsidiary body established under Main Committee I as subsidiary body 1 will discuss and consider the practical steps for systematic and progressive efforts to implement article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 decision on 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament'. The subsidiary body will be chaired by Ambassador Clive Pearson of New Zealand. The subsidiary body will be open-ended. It will hold 4 meetings within the overall time allocated to the Main Committee. The meetings will be held in private.
>
> "II. The subsidiary body established under Main Committee II as subsidiary body 2 will examine the regional issues, including with respect to the Middle East and implementation of the 1995 Middle East resolution. The subsidiary body will be open-ended. It will hold 4 meetings within the overall time allocated to the Main Committee. The meetings will be held in private.
>
> "The outcome of the work of the subsidiary bodies will be reflected in the report of the respective Main Committees to the Conference."

49. *The draft decision was adopted.*

The meeting rose at 12.20 p.m.